

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

STATE OF NEW JERSEY,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
TRANSPORTATION, SHAILEN BHATT, in
his official capacity as Administrator of the
Federal Highway Administration, and
RICHARD J. MARQUIS, in his official
capacity as Division Administrator of the New
York Division of the Federal Highway
Administration,

Defendants,

and

METROPOLITAN TRANSPORTATION
AUTHORITY and TRIBOROUGH BRIDGE
AND TUNNEL AUTHORITY,

Intervenor-Defendants.

Hon. Leo M. Gordon

Case No. 2:23-cv-03885-LMG-LDW

**[PROPOSED] ORDER TO SHOW CAUSE TO
EXTEND BRIEFING SCHEDULE**

Upon the application of Intervenor-Defendants Metropolitan Transportation Authority and Triborough Bridge and Tunnel Authority, the Declaration of Dan Chorost, dated February 5, 2025, the Memorandum of Law submitted herewith, and all the prior papers filed in this action, it is hereby:

1. **ORDERED** that Plaintiff State of New Jersey appear and show cause before the United States District Court for the District of New Jersey, Hon. Leo M. Gordon, in Room ____, United States Courthouse, 50 Walnut Street, Newark, NJ 07102 on February ____, 2025, or as soon

thereafter as counsel may be heard, why an order should not be issued pursuant to Federal Rule of Civil Procedure 6(b), Local Rule 6.1(a), and this Court's inherent authority that papers in opposition to Plaintiff's Motion for Leave to Supplement the Complaint, ECF 227, shall be filed no later than seven days after the Court issues a decision addressing the results of the remand ordered by the Court in its December 30, 2024 Opinion, ECF 191 at 72, (the "Remand Results").

2. **ORDERED**, that Plaintiff's papers in opposition to Intervenor-Defendants' Application by Order to Show Cause to Extend Briefing Schedule, if any, must be submitted by _____, 2025.

3. **ORDERED**, that Intervenor-Defendants may submit a reply in support of their Application by Order to Show Cause to Extend Briefing Schedule by _____, 2025.

4. **ORDERED**, that service by email of a copy of this Order and the above-referenced Declaration and Memorandum of Law upon counsel for all parties on or before _____, 2025, shall be deemed good and sufficient service thereof.

5. **ORDERED**, that sufficient cause having been shown, the Motion Date set for Plaintiff's Motion for Leave to file Supplement, ECF 227, is **CANCELLED**. Defendants and Intervenor-Defendants shall file their Opposition to Plaintiff's Motion (ECF 227) seven days after this Court issues a decision of the Remand Results. Plaintiff may file its reply, if any, seven days after Defendants and Intervenor-Defendants file their Opposition.

DATED: _____
Newark, New Jersey

SO ORDERED:

HON. LEO M. GORDON
U.S. Court of International Trade
(sitting by designation in the District)

of New Jersey)